THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.28194 of 1995

05.12.2006

Between:

Smt. J. Achamamba

..Petitioner

And

1. Assistant City Planner, Circle, No.V, Municipal Corporation of Hyderabad, Khairatabad, Hyderabad. and others.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.28194 of 1995

ORDER:

The petitioner is the tenant in premises bearing No.6-2-969/2, situated at Khairatabad, Hyderabad, in which she is running a printing press in the name and style of M/s. Pragathi Geetha Press. The said premises belongs to the second respondent and the third respondent is a builder. This Writ Petition is filed assailing the letter/notice, dated 18.11.1995, issued by the Assistant City Planner, the first respondent herein, calling upon the petitioner to vacate the premises within two days, as the building in possession of the petitioner is going to be affected in the road widening. The petitioner was also informed that the portion affected in the road widening is already surrendered by the owner to the Municipal Corporation of Hyderabad.

This Court while admitting the Writ Petition, passed the interim order in the following terms.

> By the impugned proceedings dated 18.11.1995, the municipal corporation of Hyderabad required 3ft wide strip throughout the length towards Western side for road widening. Accordingly there shall be interim suspension of the proceedings dated 18.11.1995 limited in extent viz., that the Municipal Corporation would be entitled to widen the road from the petitioner's structures up to 3ft and the petitioner shall surrender an extent of 3ft wide strip from the structures in possession of the petitioner-care should be taken by the Municipal Corporation of Hyderabad not to cause damage to the remaining structures which shall remain in the possession of the petitioner.

The learned Standing Counsel for Municipal Corporation of Hyderabad submits that for the purpose of road widening, only three feet space is required. The petitioner is willing to give the same, as observed by this Court in the interim order.

Therefore, the Writ Petition is disposed of, in term of the interim order. No costs.

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(V.V.S.RAO, J)

05.12.2006

GJ